

**Practitioner's Docket No.: 868\_012**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Noriaki KATO, Hiroshi NAGANO, Kaori TANIKO and Takahito JOMORI

Ser. No.: 10/587,320

Group Art Unit: 1618

Filed: May 10, 2007

Examiner: Nissa M. Westerberg

Confirmation No.: 4731

For: PROPHYLACTIC OR THERAPEUTIC AGENT FOR DIABETIC MACULOPATHY

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)**

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed June 21, 2010, finally rejecting claims 10-12, 14, 18, 20 and 21.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) ..... \$ 540.00.

**Extension of Term**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and appropriate non-small-entity fee are as follows:

- One Month (37 CFR 1.17(a)(1)) ..... \$ 130.00
- Two Months (37 CFR 1.17(a)(2)) ..... \$ 490.00
- Three Months (37 CFR 1.17(a)(3)) ..... \$ 1110.00

Extension Fee Due ..... \$ 490.00.

Total Fees Due (Notice of Appeal and Extension of Time) ..... \$ 1,030.00.

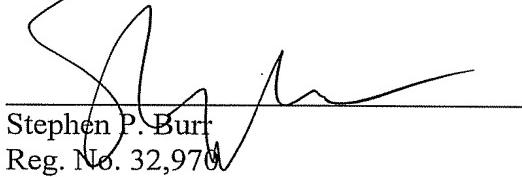
**Status of Applicant**

- Applicant claims small entity status. See 37 CFR 1.27.  
Therefore, the fee shown above is reduced by half, and the  
resulting fee is: ..... \$\_\_\_\_\_.

**Fee Payment**

- Enclosed is a check in the amount of \$\_\_\_\_\_.  
 Charge Deposit Account No. 50-1446 in the amount of \$\_\_\_\_\_.  
 The Total Fees Due were paid via EFS on Form PTO-875.  
 The Commissioner is hereby authorized to charge any fees which may be required, or  
credit any overpayment, to Deposit Account No. 50-1446.

Respectfully submitted,

  
Stephen P. Burr  
Reg. No. 32,970

SPB/tlp

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